THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.19944 OF 2007

DATED: 20-09-2007

BETWEEN

Sai Durga Welfare Association.
Shamshiguda Village,
Balanagar Mandal,
Ranga Reddy District.

…PETITIONER

AND

The State of Andhra Pradesh,
Rep. by its District Collector,
Ranga Reddy District and two others.

…RESPONDENTS

ORDER:

None appears for the petitioner either in the morning session or in the post lunch session.

2. It is the case of the petitioner-association that it has 852 members, who have been granted patta certificates in the year 1999, in respect of 60 sq. yards of land in Sy.No.57/P situated at Shamshiguda Village, Balanagar Mandal, Ranga Reddy District.

Prior to the sanction of the pattas a layout was prepared by the Hyderabad Urban Development Authority (HUDA) on 24.03.1999 and in the said layout 330 plots were shown with an extent of 60 sq. yards in favour of each allottee. Initially there was a proposal to construct Ground + 2 quarters in the said plots but thereafter the said plan was changed to only ground floor construction with the funds of the beneficiaries. There fell a short of 500 plots

and the authorities allotted the beneficiaries the land abutting towards North-West side of the HUDA layout and all the members of the petitioner-association got the plots as per the patta certificates issued to them.

3. It is further its case that almost all the members of the petitioner-association have got possession of their plots, pursuant to the patta certificates granted by the Revenue Divisional Officer, Chevella Division, Ranga Reddy District. The grievance of the petitioner-association is that out of the total members of its association, trouble started for nearly 90 beneficiaries in the land allotted towards North-West portion of the HUDA layout, wherein out of 90 members, 20 members have raised their structures and 70 beneficiaries have constructed foundations in their respective plots. While so, the respondents recently visited and threatened to demolish the said 20 houses and also the foundations raised in 70 plots. It is the further case of the petitioner-association that the said action of the respondents in threatening and taking steps to demolish 20 houses and foundations in 70 plots in Sy.No.57/P as illegal and arbitrary.

4. There is no representation filed either by the petitioner-association or its individual members with regard to their grievance before the concerned authorities. Therefore, I am of the opinion that no writ of mandamus can be issued without their being any representation or request seeking relief or ventilating their grievance before the concerned authorities, for the relief claimed in this writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

_____

V. ESWARAIAH, J

September 20, 2007
DSK